IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.APPLN.NO.1945 OF 2007

Shri.Avinash Dagdu Tadule ..Applicant

Vs.

State of Maharashtra ..Respondent

...

Mr.Tejesh Dande Advocate for Applicant
Mrs.A.S.Pai A.P.P. for the State

...

WITH
CRI.APPLN.NO.1946 OF 2007

Shri.Dhanaji Dagdu Tadule ..Applicant

Vs.

State of Maharashtra ..Respondent

...

Mr.Tejesh Dande Advocate for Applicant
Mrs.A.S.Pai A.P.P. for the State

...

WITN
CRI.APPLN.NO.1947 OF 2007

Shri.Deelip Vitthal Telvi ..Applicant

Vs.

State of Maharashtra ..Respondent

...

Mr.Tejesh Dande Advocate for Applicant
Mrs.A.S.Pai A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 28, 2007

P.C.

1. Heard the learned advocate for the applicants

and the learned A.P.P. for the State in all the three applications and these three applications are being disposed of by common order as they arise out of same CR.

2. The applicants are seeking anticipatory bail in C.R.No.33 of 2007 of Radhanagari Police Station. The said case is mainly under Section 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention) of Atrocities Act (hereinafter referred to as "the Atrocities Act").

3. It is the prosecution case that the present applicants entered into house of the complainant and abused her in such a manner that it attracted Section 3(1)(x) of the Atrocities Act. It is an admitted fact that the incident took place inside the house of the complainant. To attract provisions of Section 3(1)(x) of the Atrocities Act, offence has to take place in any place within "public view". As the incident has taken place inside the house of the complainant, it cannot be said that it has taken place in "public view", hence, I am inclined to grant anticipatory bail to the applicants.

4. Each of the applicants i.e. Applicant-Avinash Dagdu Tadule in Cri.Application No.1945 of 2007, Applicant-Dhanaji Dagdu Tadule in Cri.Application No. 1946 of 2007 and Applicant-Deelip Vitthal Telvi in Cri.Application No.1947 of 2007 to be released on bail in the sum of Rs.15,000/- (Rs.fifteen thousand only) each with one or two sureties to make up the said amount in connection with C.R.No.33 of 2007 of Radhanagari Police Station. The applicants shall report to the concerned Police Station twice a week till charge sheet is filed and thereafter once in a month till the conclusion of trial.

5. Application is disposed of.

[SMT. V.K.TAHILRAMANI, J.]